

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

MONSANTO COMPANY

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:00CV161-P-D

MITCHELL SCRUGGS, et al

DEFENDANTS

ORDER

This cause is before the Court on the plaintiff's Motion in Limine No. 11 [726]. The Court, having reviewed the motion, the response, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

Monsanto seeks entry of an order excluding any evidence whatsoever relating to Patent No. 5,633,435 ('435 Patent) on grounds that it lacks relevance and it is, therefore, inadmissible. Notwithstanding defendants' arguments to the contrary, the Court finds the motion well-taken. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiff's Motion in Limine No. 11 [726] is well-taken and should be, and hereby is, GRANTED.

SO ORDERED, this the 27th day of August, 2010.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE